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| 09/872,222      | 06/01/2001  | Eric W. Davison      | 206870              | 3995             |

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EXAMINER

SIDDIQI, MOHAMMAD A

ART UNIT PAPER NUMBER

2154

DATE MAILED: 03/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/872,222

Applicant(s)

DAVISON ET AL.

Examiner

Mohammad A. Siddiqi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-25 are presented for examination.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/09/2005 has been entered.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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4. Claims 1, 16, 17, 19 and 25 rejected under 35 U.S.C. 102(e) as being anticipated by Lunsford et al. (6,982,962) (hereinafter Lunsford).

5. As per claims 1, 16, 17, 19 and 25, Lunsford discloses a method, computer-readable medium, for an OBEX (object-exchange, 270, fig 3) client to discover an accessible OBEX resource on a network incorporating routable communications protocols (elements of fig 1, col 5, lines 50-63), the method comprising:

listening on a multicast channel provided according to a routable network communications protocol for identification advertisement from an OBEX device (elements of fig 5; col 5, lines 32-50, col 6, lines 13-35);

receiving at least one advertisement on the multicast channel identifying an accessible OBEX resource (elements of fig 5; col 5, lines 32-50, col 6, lines 13-35);

storing information from the received advertisement (90, fig 2); and using the stored information to access the identified OBEX device (370, 5; col 5, lines 32-50, col 6, lines 13-35)).

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6. Claims 1, 3, 16, 17, 19 and 25 rejected under 35 U.S.C. 102(e) as being anticipated by Schuster et al. (6,557,021) (hereinafter Schuster).

7. As per claim 1, Schuster discloses a method for an OBEX (object-exchange) client to discover an accessible OBEX resource on a network incorporating routable communications protocols (812, fig 8, Internet protocol, col 8, lines 11-18; col 8, lines 50-53; col 24, lines 12-15), the method comprising:

listening on a multicast channel provided according to a routable network communications protocol for identification advertisement from an OBEX device (col 5, lines 1-20; col 15, lines 1-7);

receiving at least one advertisement on the multicast channel identifying an accessible OBEX resource (1402, fig 14, see discussion, col 23, line 65, contd. col 24, line 1; col 5, lines 1-20; col 15, lines 1-7);

storing information from the received advertisement (elements of fig 7); and using the stored information to access the identified OBEX device (col 24, lines 54-67).

8. As per claim 3, Schuster discloses the identification advertisement is carried according to a protocol in the set consisting of: the Simple Service

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Discovery Protocol and the Service Location Protocol (SIP, col 14, lines 37-67).

9. As per claim 16, the claim is rejected for the same reasons as claim 1, above.

10. As per claim 17, the claim is rejected for the same reasons as claim 1, above.

11. As per claim 19, the claim is rejected for the same reasons as claims 17 and 3, above.

12. As per claim 25, the claim is rejected for the same reasons as claim 1, above.

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having

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ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 2, 4-15, 18, and 20-24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster et al. (6,557,021) (hereinafter Schuster) in view of Megowan et al. (Object Exchange Protocol by Pat Megowan, version 1.2, January 1999) (hereinafter Megowan).

15. As per claim 2, Schuster fails to disclose the multicast channel is carried on a well-known port (well-known port is common knowledge, because IANA has assigned the port number 650 to the OBEX protocol, col 24, lines 18-36) provided according to the routable network communications protocol (Internet protocol, col 8, lines 11-18; col 5, lines 1-20; col 15, lines 1-7). However, broadcasting on multicast channel is carried on a well-known port (well-known port is common knowledge, because IANA has assigned the port number 650 to the OBEX protocol). For example, Megowan discloses the multicast channel is carried on a well-known port (well-known port is common knowledge, because IANA has assigned the port number 650 to the OBEX protocol, col 24, lines 18-36) provided according to the routable network communications protocol (TCP port number, page 43). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Schuster with Megowan. The

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motivation would have been to have a system build on object exchange framework to provide "Push" or "Pull" application, allowing rapid and ubiquitous communications among portable devices or in dynamic environments.

16. As per claim 4, the claim is rejected for the same reasons as claim 2, above. In addition, Megowan discloses the identification advertisement contains information expressed according to an extensible markup language definition (page 58).

17. As per claim 5, the claim is rejected for the same reasons as claim 2, above. In addition, Megowan discloses the identified accessible OBEX resource is in the group: an OBEX server, an OBEX service, and a second OBEX client (see discussion at page 37-39).

18. As per claim 6, the claim is rejected for the same reasons as claim 2, above. In addition, Megowan discloses the identified accessible OBEX resource is an OBEX server and the received OBEX resource identification advertisement lists OBEX services provided by the OBEX server (see discussion at pages 37-39).



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19. As per claim 7, the claim is rejected for the same reasons as claim 2, above. In addition, Megowan discloses the identified accessible OBEX resource is an OBEX in the group: inbox service, file browser, and synchronization service (pages 8-11).

20. As per claim 8, the claim is rejected for the same reasons as claim 7, above. In addition, Megowan discloses applying a filter to the at least one received advertisement and discarding advertisements that do not satisfy criteria of the filter (using header information, page 13 and 57).

21. As per claim 9, the claim is rejected for the same reasons as claim 8, above. In addition, Megowan discloses Globally Unique Identifier, geographical location, network hop count from the identified accessible OBEX resource to the OBEX client, address mask, and domain name (hop and Universal unique ID, page 13 and page 66).

22. As per claim 10, the claim is rejected for the same reasons as claim 2, above. In addition, Megowan discloses making a list of the identified accessible OBEX resources (see discussion at pages 37-39).

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23. As per claim 11, the claim is rejected for the same reasons as claim 2, above. In addition, Megowan discloses formulating a discovery request asking OBEX resources to identify themselves (see discussion at page 37-39); and sending the discovery request over the multicast channel (see discussion at pages 37-39).

24. As per claim 12, the claim is rejected for the same reasons as claim 2, above. In addition, Megowan discloses the discovery request specifies a property desired in responsive OBEX resources (see discussion at pages 37).

25. As per claim 13, the claim is rejected for the same reasons as claim 2, above. In addition, Megowan discloses the desired property is expressed according to an extensible markup language definition (see discussion at pages 58-61).

26. As per claim 14, Schuster discloses the scope of dispersal of the discovery request is expanded by bridging the discovery request from one network to another network (page 33, section 6.4, SLP).

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27. As per claim 15, Schuster discloses the scope of dispersal of the discovery request is limited by means of a network hop count (page 29, section 4.1, Adaptive Server Hierarchy Management).

28. As per claim 18, the claim is rejected for the same reasons as claims 17 and 2, above.

29. As per claim 20, the claim is rejected for the same reasons as claims 17 and 4, above.

30. As per claim 21, the claim is rejected for the same reasons as claims 17 and 5, above.

31. As per claim 22, the claim is rejected for the same reasons as claims 17 and 6, above.

32. As per claim 23, the claim is rejected for the same reasons as claims 17 and 7, above.

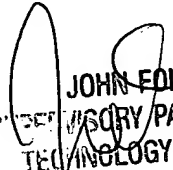
33. As per claim 24, the claim is rejected for the same reasons as claims 17 and 11, above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A. Siddiqi whose telephone number is (571) 272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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